

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAURA M. GARCIA,

Plaintiff,

-against-

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

-----X
DEBORAH A. BATTIS, United States District Judge.

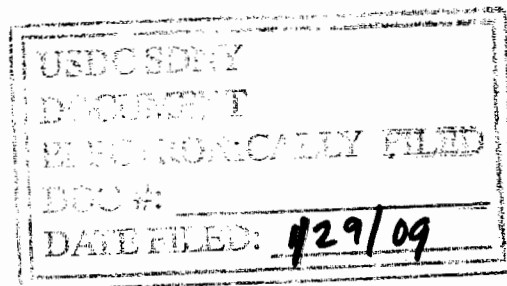
This matter is before the Court upon the August 8, 2008
Report and Recommendation of United States Magistrate Judge
Theodore H. Katz. The parties have not filed objections.

Having reviewed the Report and Recommendation and finding no
clear error on the face of the record, see Rule 72, Fed. R. Civ.
P., Notes of Advisory Committee on Rules (citing Campbell v.
United States Dist. Court, 501 F.2d 196, 206 (9th Cir.), cert.
denied, 419 U.S. 879 (1974)), it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation of United States
Magistrate Judge Theodore H. Katz dated August 8, 2008 be and the
same hereby is approved, adopted, and ratified by the Court;

2. The decision of the Commissioner of Social Security
that Plaintiff was not eligible for Supplemental Security Income
("SSI") or disability insurance benefits ("DIB") is hereby



07 Civ. 6658 (DAB)
ADOPTION OF REPORT
AND RECOMMENDATION

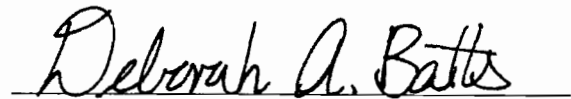
AFFIRMED;

3. The Clerk of the Court is directed to close the docket
in this matter.

SO ORDERED.

Dated: New York, New York

January 29, 2009

A handwritten signature in cursive script, reading "Deborah A. Batts", is written over a horizontal line.

Deborah A. Batts

U.S.D.J.